

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 7438**

**BILL NUMBER:** HB 1235

**NOTE PREPARED:** Jan 7, 2015

**BILL AMENDED:**

**SUBJECT:** Tobacco and smoking.

**FIRST AUTHOR:** Rep. Clere

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Pending

**Summary of Legislation:** Imposes a tax on electronic cigarettes. Deposits the tax into the tobacco use prevention and cessation trust fund. Prohibits a tobacco sales certificate if the premises contains a pharmacy. Increases the fee for a tobacco sales certificate. Adds the use of an electronic cigarette to the definition of "smoking" for the purpose of the laws that prohibit smoking in certain places. Prohibits smoking on property owned by the state. Adds, removes, and amends exemptions to the places where smoking is allowed. Removes the prohibition against an employer requiring, as a condition of employment, that a prospective employee refrain from using tobacco products outside the course of the prospective employee's employment. Removes the civil cause of action that a prospective employee could have brought against an employer for requiring the prospective employee, as a condition of employment, to refrain from using tobacco products outside the course of the prospective employee's employment. Provides that a person may not manufacture, sell, or distribute a liquid or gel substance containing nicotine, or a nicotine liquid container, unless the product is contained in child resistant packaging. Establishes penalties for violations. Prohibits the sale of certain tobacco products at the premises where a pharmacy is located.

**Effective Date:** July 1, 2015.

**Explanation of State Expenditures:** *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

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